

**CITY COUNCIL MINUTES
November 22, 2010
REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, November 22, 2010 at 6:00 p.m. with Mayor Powers presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

ROLL CALL:

Council Members Present: J. M. Holmes, Kevin Hanley, Keith Nesbitt (present for open session only) and Bridget Powers

Council Members Absent: Bill Kirby

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Building Official Lisa Hoffrogge, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Associate Planner Lance Lowe, and Police Chief Valerie Harris

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

MOTION: Holmes/ Hanley / Unanimously approved by voice (Kirby/ Nesbitt absent)

(1) **CONFERENCE WITH LABOR NEGOTIATORS**
G.C. 54957.6

Agency Designated Representatives: Robert Richardson, David Mackowiak

Employee Group: All Bargaining Units

REPORT OUT OF CLOSED SESSION

No reportable action.

PLEDGE OF ALLEGIANCE presented by Color Guard by Boy Scout Troop 783

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ ANNOUNCEMENTS

Commendation for City Historian Loreley Hodkin was presented.

AGENDA APPROVAL

The agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

City Clerk Joe Labrie requested item 8 be removed from the consent calendar for further discussion.

1. Minutes

By **MOTION** approve City Council Minutes of November 8, 2010.

2. Warrants

By **RESOLUTION 10-136** ratify and approve payment of warrants 75763 through 76153 totaling \$3,097,014.04.

3. Quarterly Report of Investments – Quarter Ending September 30, 2010

Receive, review and file the "City of Auburn Quarterly Investment Report" for the quarter ending September 30, 2010.

4. City of Auburn Investment Policy Annual Adoption

By **RESOLUTION 10-137**, approve and adopt an Investment Policy to organize procedures and processes which enhance opportunities for a prudent and systematic investment effort and formalize investment-related activities on behalf of the City of Auburn.

5. Airport Office Lease – Exwire, Inc.

By **RESOLUTION 10-138**, authorize the City Manager or his designee to execute a lease for commercial office and Airport Beacon Tower space at the Auburn Municipal Airport between the City of Auburn and Exwire, Inc.

6. **Auburn Towers Final Condominium Map (1240 High Street)**

By **RESOLUTION 10-139**, approve the Auburn Towers Final Condominium Map at 1240 High Street for recording at the Placer County Recorder's Office.

7. **Auburn Transit – Transit Shelter Purchase for the Auburn Ravine Bus Shelter Project**

By **RESOLUTION 10-140**, authorize the Director of Public Works to purchase a Transit Shelter from Marc Pohley and Associates for the Auburn Ravine Bus Shelter Project.

8. **Consultant Agreement for Wastewater Consulting – NexGen Utility Management, Inc.**

Removed from consent calendar, see item 8a.

***** End of Consent Calendar *****

By MOTION, approve the consent calendar consisting of items 1-7.

MOTION: Holmes/ Hanley/ Approved 4:0 (Kirby absent)

Council Member Hanley abstained from item 1 on the consent calendar because he was not in attendance at the 11/08/2010 meeting.

8a. **Consultant Agreement for Wastewater Consulting – NexGen Utility Management, Inc.**

City Clerk Joe Labrie asked how many times there has been a consultant agreement brought before Council for the Wastewater Treatment Plant. He also asked about 6.3 under "Compensation" in the agreement about increase of fees.

City Attorney Michael Colantuono said the agreement includes the standard language about increase of fees to require 30 days' notice before a change in rates.

Bernie Schroeder, Director of Public Works, said there is a "not to exceed" amount on this contract. She said the obligation of the City to maintain the Wastewater Treatment Plant is continuous.

Council Member Nesbitt said he supports this item due to the ongoing obligation to find quality people to act as consultants for the Wastewater Treatment Plant and that hiring a specialist would have significantly more financial impact than the alternatives.

By **RESOLUTION 10-141**, authorize the Director of Public Works to execute the consultant agreement with NexGen Utility Management for Wastewater Consulting.

MOTION: Holmes/ Hanley/ Approved 4:0 (Kirby absent)

9. **Public Comment**

Council Member Holmes said this is the anniversary of President Kennedy's assassination. He said it is important to take a moment and reflect on that day.

Council Member Holmes said he is concerned with the minutes of October 25, 2010 not being brought forward for approval.

Council Member Holmes asked City Staff to bring forward the ordinance regarding cellular towers in the City of Auburn.

Council Member Nesbitt said the Salvation Army sponsors a community dinner every Thanksgiving. He encouraged people to attend.

PUBLIC HEARING

10. **Borland Avenue Monopine Variance Appeal – AT&T Continuance Request**

By **MOTION**, continue this item to the January 10, 2011 City Council meeting.

MOTION: Holmes/ Hanley/ Approved 4:0 (Kirby absent)

11. **Ordinance Establishing Dog Vaccination Reporting Requirements by Veterinarians and Vaccination Clinics**

Police Chief Valerie Harris presented this item. She said this ordinance would require local veterinarians to report rabies vaccinations. She said this promotes greater compliance locally. She said the goal is to have dogs properly vaccinated and properly licensed. She said Roseville and Auburn are the last two jurisdictions in Placer County to pass this ordinance.

Council Member questions followed regarding mandatory vaccination reporting and the effect on local dog licensing.

Waive full reading, introduce and hold a first reading, by title only, of an **ORDINANCE** adding Sections 97.022 (C) through 97.022 (F) to the Auburn Municipal Code establishing dog vaccination reporting requirements.

MOTION: Holmes/ Nesbitt/ Approved 4:0 (Kirby absent)

REPORTS

12. City Council Committee Reports

Council Member Holmes reported the Placer County Visitors Bureau voted to move to Downtown Auburn into the "Old City Hall".

Council Member Hanley reported the Sacramento Area Council of Governments is holding a regional forum titled: *Rural-Urban Connections Strategy* on December 10 at 7:30 a.m. at the Sacramento Convention Center. He also reported the Greater Auburn Fire Safe Council will be considering converting into a non-profit organization in January 2011.

Council Member Nesbitt reported the Capitol Corridor's Joint Powers Authority Board is still pursuing alternate funding for the train to Auburn. He reported the Amgen / Auburn Bike Team attended the Amgen Symposium in Los Angeles, November 9, 2010. He said he will be giving future updates to the Council on the progress of this committee. He also reported on current status of the Streetscape History and Art Advisory Committee.

Mayor Powers reported the Airport Business Park Association is meeting November 30, 2010 at 5pm.

COUNCIL BUSINESS

13. Building Department Fee Schedule

Building Official Lisa Hoffrogge presented this item. She said the rate is an 8% increase from the rate established three years ago.

Donna Silva, resident of Auburn, asked if the fees represent the full cost of providing these services. She also asked when the City of Auburn last completed an overhead allocation study. She said she would like to see the indirect rates applied to the building rates so it would represent full cost.

Lisa Hoffrogge said these fees includes salary time and benefits only.

Mark D'Ambrogi said staff realizes the indirect costs of all the department fees and is taking indirect costs into consideration in the future. He said it must be determined how to accurately account for those costs and how to accurately apply those costs to each individual fee schedule.

By **RESOLUTION 10-142**, approve the Building Department fee schedule.
MOTION: Nesbitt/ Holmes/ Approved 4:0 (Kirby absent)

14. **Memorandum of Understanding with the Placer County Sheriff's Department Establishing Guidelines for Use of the Auburn Police Mobile Command Vehicle During Critical Incidents**

Police Chief Valerie Harris presented this item. She explained how this vehicle can help Placer County Sheriff's Department during critical incidents.

Council Member Nesbitt asked about annual maintenance costs for this vehicle. He also asked if there is a sunset date on this agreement.

Police Chief Valerie Harris said the maintenance costs have been very low, with only a small amount for warranty items. She also said the agreement would continue with Placer County until depreciation of the vehicle occurs.

Council Member Holmes asked about the type events the vehicle is currently being used for. He also asked about damage to the vehicle while it is being loaned out.

City Attorney Michael Colantuono said the contract states if damage is done to the vehicle, it would be the responsibility of the party who had control of the vehicle at the time.

By **RESOLUTION 10-143**, approve the Memorandum of Understanding between the Auburn Police Department and Placer County Sheriff's Department establishing guidelines for shared use of the Auburn Police Mobile Command Vehicle.

MOTION: Holmes/ Nesbitt/ Approved 4:0 (Kirby absent)

ADJOURNMENT

Mayor Powers, without objection, adjourned the meeting at 7:55 p.m. to a meeting of the Auburn Urban Development Authority.

Bridget Powers, Mayor

Joseph G. R. Labrie, City Clerk

**CITY COUNCIL MINUTES
December 6, 2010
SPECIAL SESSION**

The Special Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, December 6, 2010 at 5:30 p.m. with Mayor Powers presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

Color Guard by Boy Scout Troop 19

ROLL CALL:

Council Members Present: J. M. Holmes, Kevin Hanley, Bill Kirby, Keith Nesbitt, Bridget Powers

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, Community Development Director Will Wong, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Building Official Lisa Hoffrogge, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Senior Accounting Technician Mary Freitas, Accounting Technician Shari Conley and Assistant City Clerk Amy Lind

1. **Public Comment**

No public comment.

2. **Remarks from the Outgoing Mayor Bridget Powers**

Mayor Powers thanked everyone for the opportunity to be the Mayor of Auburn for the past year. She said it was an honor to carry out the duties of Mayor. She said she enjoyed her weekly radio program and being a part of the *AMGEN* tour coming to Auburn in both 2010 and 2011. She said the City Manager and CFO did a fine job keeping the City Council informed on any fiscal situations that may greatly affect the City. She said although they managed to keep the City in a good position, there is still more work to be done in regards to maintaining a fiscally sound position and she said she looks forward to working with the City Council to continue to do that. She also thanked all of the employees at the City for their hard work and dedication. She highlighted some of her accomplishments from the past this year including starting up the Airport

Business Park Association and hiring a part time Airport Manager. She thanked the Auburn Aviation Association for all of their support on these two efforts. She said the ribbon cutting at Central Square was also a highlight of her year as Mayor. She thanked the Police and Fire Departments and said each department took her on a ride-a-long to show her a day in their life. She also thanked the Public Works Department and highlighted some of their projects that were completed over the last year. She stressed that volunteerism is the foundation of our country and said we set the best example across the entire country for volunteerism in the City of Auburn. She finished by saying she really enjoyed this last year and it has been great to be Mayor.

3. **Election Results**

City Clerk Joseph Labrie read the results of the Canvass of Vote, certified by Placer County Clerk Jim McCauley, for the November 2, 2010 Municipal Election, and reported the breakdown of the total votes cast.

4. **Oath of Office**

Judge Eugene Gini administered oath to City Council Members elected November 2, 2010.

Mike Holmes	Council Member
Bridget Powers	Council Member
Kevin Hanley	Council Member

5. **Council Reorganization**

A. **Nomination and Selection of Mayor**

Mayor Powers declared nominations open for the position of Mayor. By **MOTION** approved nomination for Bill Kirby for Mayor.
MOTION: Powers/ Hanley/ Approved 5:0

B. **Nomination and Selection of Mayor Pro Tem**

Mayor Powers declared nominations open for the position of Mayor Pro Tem. By **MOTION** approved nomination for Keith Nesbitt for Mayor Pro Tem.
MOTION: Holmes/ Hanley/ Approved 5:0

6. **Oath of Office to Newly Selected Mayor and Mayor Pro Tem**

Oath of Office administered by Judge Eugene Gini to newly selected Mayor and Mayor Pro Tem.

7. **Presentation from Newly Selected Mayor**

Mayor Kirby presented outgoing Mayor Powers with a plaque in recognition of her service as Mayor in 2010.

8. **Exchange of Council Seats**

Newly selected Mayor and Council Members were seated in order as set by precedence.

Outgoing Mayor	Seat 1	Powers
Alphabetically Seated	Seat 2	Hanley
New Mayor	Seat 3	Kirby
Alphabetically Seated	Seat 4	Holmes
Alphabetically Seated	Seat 5	Nesbitt

9. **Mayor's Address by Bill Kirby**

Mayor Kirby said it is an honor to become the Mayor of Auburn. He said Auburn has been fortunate to have had many distinguished leaders in this community and he is humbled by the position. He said it is important to note that the Mayor is only one of five City Council Members and the Mayor's vote is no more nor less important than any other's. He said Auburn has a dedicated City Council made up of true citizen legislators. He highlighted each of his fellow Council Members and their recent accomplishments. He recognized the many citizens who are willing to serve on our numerous committees, providing key leadership advice to council members. He said the greatest task of local government is to provide for the public safety and maintain our infrastructure within our means. He recognized Auburn's employee organizations for "stepping up to the plate" to help Auburn through this difficult economic time. He said Auburn's employees have been working harder with fewer resources to accomplish their goals. He said they have also helped the City by renegotiating pension and health plans. He said Auburn is also the only local municipality that has guaranteed their employees that they will restore the 10% cuts that they were forced to make when the economy improves. He recognized City Manager Robert Richardson and the members of the management team. He recognized the City Attorney Michael Colantuono, who was named the Public Lawyer of the Year. He recognized the other elected officials overseeing the City's business including City Treasurer George Williams and City Clerk Joe Labrie. He said due to the efforts of Police Chief Valerie Harris, Captain John Ruffcorn, the Amgen Committee and dedicated City Staff, Auburn has been awarded a start of the Amgen Bicycle Tour of California in May. He said he plans to make the most of this opportunity, working with our

business and county partners to highlight the Greater Auburn community. He said under the leadership of City Manager Robert Richardson, Auburn will be moving forward in 2011 with an aggressive marketing campaign in conjunction with the business associations and chamber partners. He said it will be an exciting and active time for our City and he welcomes the opportunity to participate and promises to listen to any and all suggestions Auburn citizens have. He said one of his personal goals in the next year is to explore a regional solution for the sewage problems to achieve the best results for Auburn's rate payers. He said he hopes some day there will be a joint powers agreement that would manage all treatments plants irrespective of what lines they cross. He said constantly upgrading small sewage treatment plants to comply with ever-changing standards may no longer be an affordable option. He said would welcome the outcome of several studies to be completed shortly to help guide us through this critical decision in our future. He said it is very important with these monumental issues that we have a vision 50 years in the future, not just the "typical politician's view of until the next election". He spoke of the benefits of beginning a dialog on annexation. He said this is controversial to some and stressed that this is just an initial dialog. He said the county supervisor boundaries will be changing shortly, most likely leaving only one county supervisor representing North Auburn. He said this will further dilute the citizens of North Auburn influence over county decisions. He said about 80% of the tax revenue generated by North Auburn, which many people consider to be Auburn, leaves our community and goes to support other areas of the County. He said it's been almost 21 years since this subject has been visited and its time to look at it again. He thanked everyone for their support.

Mayor Kirby invited everyone to Central Square for a celebration.

ADJOURNMENT at 5:59 p.m.

William W. Kirby, M.D., Mayor

Joseph G. R. Labrie, City Clerk